

Notice of Allowability

Application No.

09/737,629

Applicant(s)

MESSMER ET AL.

Examiner

Art Unit

David R. Vincent

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/6/05.
2. ☒ The allowed claim(s) is/are 1-10 and 12-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 3628

REASONS FOR ALLOWANCE

1. The following is an Examiner's statement of reasons for allowance: Claims 1-10, 12-42 are considered allowable since when reading the claims in light of the specification, as per MPEP § 2111.01 or In re Sneed, 710 F.2d 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including a computerized method of finding values and reducing risk in purchasing portfolios of assets comprising using an initial value, recalculating values, underwriting (defined at e.g., 6), using a confidence factor (defined at e.g., pages 9-10), underwriting a sample, of assets, and inferring within a third portion of a portfolio, and grouping assets based on variances of the first and second portions of the portfolio, as specified in claim 1;

a computerized method of finding values and reducing risk in purchasing portfolios of assets comprising using a computer configured as a server, calculating an initial value of each asset, recalculating values, underwriting (defined at e.g., 6), using a confidence factor (defined at e.g., pages 9-10), underwriting a sample, of assets, and inferring within a third portion of a portfolio, and grouping assets based on variances of the first and second portions of the portfolio, as specified in claim 12.

Art Unit: 3628

a computerized method of finding values and reducing risk in purchasing portfolios of assets comprising calculating an initial value of each asset, recalculating values, underwriting (defined at e.g., 6), using a confidence factor (defined at e.g., pages 9-10), underwriting a sample, of assets, and inferring within a third portion of a portfolio, and grouping assets based on variances of the first and second portions of the portfolio, as specified in claim 23;

a computerized method of finding values and reducing risk in purchasing portfolios of assets comprising segmenting a portfolio into three portions for valuation purposes, underwriting (defined at e.g., 6), using a confidence factor (defined at e.g., pages 9-10), underwriting a sample, of assets, and inferring within a third portion of a portfolio, and grouping assets based on variances of the first and second portions of the portfolio, as specified in claim 34.

The Examiner was persuaded by the arguments filed.

Bukowsky (US 5,934,674) discloses calculating an initial asset value for the portfolio, recalculating asset value based on progressively improving asset valuation data, a computer configured as a server and further configured with a database of asset, portfolios and to enable valuation process analytics, at least one client system connected to said server through a network, and server configured to calculate an initial asset value for the portfolio and recalculate asset value based on

Art Unit: 3628

progressively improving asset valuation data but does not teach a network.

Brealey and Myers (Principals of Corporate Finance of record) discloses estimating values of assets, calculating present values, using various equations.

Frazer (CA 2 309 853) discloses selecting asset classes and calculating portfolio values.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R Vincent whose telephone number is 703 305 4957. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571 272 6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David R Vincent

Primary Examiner

Art Unit 3628

September 24, 2005